

## Postal Regulatory Commission


Washington, D.C. 20268-0001

### NOTICE OF FILING UNDER 39 U.S.C. § 404(d)

TO THE UNITED STATES POSTAL SERVICE:

Please take notice that on October 20, 2011, the Commission received a petition for review of the Postal Service's determination to close the Ferguson post office located in Ferguson, Iowa. The petition for review was filed by Dale Thompson, Mayor, and Members of the Ferguson City Council (Petitioners) and is postmarked October 13, 2011.

This notice is advisory only and is being furnished so that the Postal Service may begin assembling the administrative record in advance of any formal appeal proceedings held upon the alleged (closing/consolidation) for transmittal pursuant to 39 CFR § 3001.113(a) (requiring the filing of the record within 15 days of the filing with the Commission of a petition for review). The Postal Service's administrative record is due no later than November 4, 2011.



Shoshana M. Grove  
Secretary

Date: October 25, 2011

Attachment

A 2012-28

Received

OCT 18 2011

Office of PAGR

CITY OF FERGUSON  
P.O. BOX 78  
FERGUSON, IA 50078

October 3, 2011

RECEIVED

2011 OCT 20 A 12:55

POSTAL REGULATORY  
COMMISSION  
OFFICE OF THE SECRETARY

Postal Regulatory Commission  
901 New York Avenue N.W., Suite 200  
Washington, D.C. 20268-0001

Re: Ferguson Post Office

The Postal Service has issued a Final Determination to Close the Ferguson, IA Post Office and Establish Service by Rural Route Service, Date of Posting 09/15/2011.

We, the Mayor and Council of the City of Ferguson and the residents of Ferguson and/or customers of the Ferguson Post Office, appeal this action in view of the provision of the Postal Reorganization Act that calls for the Postal Service to provide a maximum degree of effective and regular postal service to rural areas, communities and small towns where the post office is not self sustaining. Our appeal is based on the following:

The Postal Service's decision to close our post office and provide rural delivery service raises questions concerning the sanctity and security of the mail and the risks involved in the handling of mail by non-career employees. We also foresee inconveniences in purchasing stamps and money orders, as well as sending accountable mail. We have the same concerns regarding the receipt of accountable mail such as certified letters, registered letters and COD's.

We feel that as citizens of the United States we are entitled to the same efficient postal service provided to our counterparts in urban areas. The Postal Reorganization Act is explicit in pointing this out. We petition you, as members of the Postal Regulatory Commission, to respectfully consider our appeal and order the Postal Service to give additional considerations to our service needs. In support of this appeal we state the following:

The Final Determination to Close states the Postmaster position became vacant when the Postmaster retired on October 1, 2010, and since the retirement an OIC has been installed to operate the office. In fact, the Ferguson Post Office has not had a Postmaster actually working in the facility for approximately five years and only a figurehead Postmaster assigned to Ferguson. During that same five-year period, an OIC has been actually performing the daily work. The Postal Service has ascribed the salary and benefits of a Postmaster to this facility, instead of the same expense of a working OIC. This inflates the expenses and economic savings to the Postal Service.

The Ferguson Post Office is one of the three posting places established by ordinance for the City of Ferguson. The response made by the Postal Service that these postings can be made at the City Hall is untrue because Ferguson does not have a City Hall.

The Final Determination states there are no permit holders at the Ferguson Post Office. That is an untrue statement. Attached to this appeal letter is a statement from the owner of Permit No. 1, as well as a copy of a mailing showing the permit seal.

The customers of the Ferguson Post Office were given 30 days to appeal this Final Determination, whereas the initial posting allowed 60 days for response.

There are no retail businesses in Ferguson for establishment of an auxiliary or satellite postal service center.

Ferguson has a large number of elderly residents who are unable to travel to Marshalltown or Gilman for routine postal services (purchasing postage, weighing packages, purchasing money orders, etc.). This places an unfair burden on senior citizens. Also, because of their age and health conditions, many of these residents were not able to attend the public meeting on April 28, 2011.

Ferguson has requested a downsizing or reduction in hours of operation for this facility, but that request has been denied.

The Final Determination states the retail window counts were low. The Postal Service chose to select a low count period rather than a higher count in order to justify the closing. This action is unfair.

Respectfully submitted,

*Dale Thompson*

Dale Thompson, Mayor

Members of the Ferguson City Council

*Glenda Thompson*

*Michael Hood*

*Brad Fuller*

*Charles D. McHugh*

## Glenda Thompson

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**From:** Chris Hungerford [chris@hoopsking.com]  
**Sent:** Friday, September 16, 2011 12:15 PM  
**To:** Glenda Thompson  
**Subject:** Re: Email address

I have been shipping catalogs out of the Ferguson Post Office for nearly 7 years using Permit #1. We mail thousands of catalogs each year out of Ferguson.

Sincerely,

Chris Hungerford  
Hoops King.com, Inc.  
2943 260th Street  
Marshalltown, IA 50158

Phone or Fax: 877-569-2508

Web: [www.hoopsking.com](http://www.hoopsking.com)

Downloadable DVDs: <http://downloads.hoopsking.com>

**From:** Glenda Thompson <gfthom@heartofiowa.net>

**To:** [chris@hoopsking.com](mailto:chris@hoopsking.com)

**Cc:** [gfthom@heartofiowa.net](mailto:gfthom@heartofiowa.net)

**Sent:** Thursday, September 15, 2011 6:54 PM

**Subject:** Email address

Chris,

Lee said you wanted my email address so you could send her a statement of the number of years he has held a permit for the Ferguson post office

[gfthom@heartofiowa.net](mailto:gfthom@heartofiowa.net)

Glenda

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celebrating our 10th year in  
business.

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[www.youtube.com/hoopsking](http://www.youtube.com/hoopsking)



2943 260th Street  
Marshalltown, IA 50158

## HOW TO ORDER

Online: [HoopsKing.com](http://HoopsKing.com)

Online DVD Download: [downloads.hoopsking.com](http://downloads.hoopsking.com)

Phone or Fax: 877-569-2508

Mail: 2943 260th St, Marshalltown, IA 50158

MARQUIS ROBINSON  
7613 OFFSHORE DR  
CHESTERFIELD VA  
23832-2594

Presorted  
Standard  
U.S. Postage Paid  
Ferguson, IA  
Permit No. 1

## PETITION

THE UNDERSIGNED BOXHOLDERS AND/OR U.S.P.S. CUSTOMERS OPPOSE THE FINAL DETERMINATION TO CLOSE THE FERGUSON, IA POST OFFICE AND ESTABLISH SERVICE BY RURAL ROUTE SERVICE - DATE OF POSTING 09/15/2011:

<u>NAME</u>	<u>ADDRESS</u> R n V G /	<u>DATE</u>
<u>Charles Timbers</u>		<u>10-3-11</u>
<u>Eileen McKay</u>		<u>10/3/11</u>
<u>Joan T Miller</u>		<u>10-4-11</u>
<u>Mick Lord</u>		<u>10-4-11</u>
<u>Joan Riker</u>		<u>10-4-11</u>
<u>Vicki O'Brien</u>		<u>10-4-11</u>
<u>Melvin Freberg</u>		<u>10-4-11</u>
<u>Ray W Mills</u>		<u>10-4-11</u>
<u>Vickie Winstedt</u>		<u>10-4-11</u>
<u>Melba Phillips</u>		<u>10-4-11</u>
<u>Donna Winstedt</u>		<u>10-4-11</u>
<u>Mike &amp; Kasandra Horrell</u>		<u>10-4-11</u>
<u>John Horrell</u>		<u>10-4-11</u>
<u>Andrew Brinkman</u>		<u>10-4-11</u>
<u>Charles Smith</u>		<u>10-4-11</u>

<u>DATE</u>	<u>ADDRESS</u>	<u>NAME</u>
10-5-11		DENNIS W. Gummert
10-5-11		Pat R. Riggins
10-5-11		Budd K. Switzer
10-5-11		Richard J. H. H. H.
10-5-11		Judy Good
10-5-11		Tony Good
10-5-11		Sam, Willie
10-6-11		Sunny Smith
10-10-11		David Jones

## PETITION

THE UNDERSIGNED BOXHOLDERS AND/OR U.S.P.S.  
CUSTOMERS OPPOSE THE FINAL DETERMINATION TO  
CLOSE THE FERGUSON, IA POST OFFICE AND ESTABLISH  
SERVICE BY RURAL ROUTE SERVICE - DATE OF  
POSTING 09/15/2011:

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
<u>PT Roberts</u>		<u>10-4-11</u>
<u>Lu Roberts</u>		<u>10-4-11</u>
<u>Ledford Roberts</u>		<u>10-4-11</u>
<u>Evelyn Brunner</u>		<u>10-4-11</u>
<u>Dore &amp; Rahm</u>		<u>10-4-11</u>
<u>Caryll Rahm</u>		<u>10-4-11</u>
<u>Marion Rahm</u>		<u>10-4-11</u>
<u>Janet Schuman</u>		<u>10/4/11</u>
<u>Nancy Villone</u>		<u>10-4-11</u>
<u>David Lurvey</u>		<u>10-4-11</u>
<u>Steve Seelye</u>		<u>10-4-11</u>
<u>Kathy Seelye</u>		<u>10-4-11</u>
<u>Valerie Villone</u>		<u>10-4-11</u>
<u>R. H. Villone</u>		<u>10-4-11</u>

<u>DATE</u>	<u>ADDRESS</u>	<u>NAME</u>
<u>10-4-2011</u>		<u>Glenda Thompson</u>
<u>10-4-2011</u>		<u>Mark L. Strong</u>
<u>10-4-2011</u>		<u>Myra D. Bae</u>
<u>10-4-2011</u>		<u>J. L. Smith</u>
<u>10-4-2011</u>		<u>Miss Sinclair</u>
<u>10-5-11</u>		<u>Margaret Sinclair</u>